

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE#: 00-6009-CIV-DIMITROULEAS

ROSS JAY LAWSON
(Plaintiff)

Vs.

KEN JENNE, WILLIAM HITCHCOCK
BROWARD COUNTY DEPARTMENT
OF CORRECTIONS AND REHAB.
(Defendants)

Plaintiff's Bill of Costs

Comes now the Plaintiff, ROSS JAY LAWSON, Pro se, and files this Bill of Costs with the clerk pursuant to F.R.C.P. Rule 54(d), and is filed within 14 days of entry of this Honorable Court's entry of Judgement "Dismissing Case As Moot", dated August 15, 2002. Grounds for this motion are as follows.

1. The Plaintiff is Pro se, and should be held to a less strinsic standard.
2. The Plaintiff mailed this Bill of Costs in the Baker Correctional Legal Mail System on August 22, 2002, and therefore the jail mail box rule applies as to the date received by the Clerk.
3. The Plaintiff request that this Bill of Costs be ruled on by the Honorable Court rather than the Clerk, due to the Honorable Clerk having no knowledge of the case and the law surrounding the mootness issue in which this case was dismissed. As well as F.R.C.P. Rule 54 states in sum, "The district court may, in its discretion award costs, unless an express provision regarding costs is

NON-COMPLIANCE OF S.D. Fla. L.R. 5.1A.2

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made by Federal Statute or court rule. Thus this Motion for Costs must be heard by the Judge not the Clerk.


4. The types of costs that are generally taxed in favor of the prevailing party in Federal litigation are set by Statute, 28 U.S.C.A. §1920, and 28 U.S.C.A. FP 1911-31 which define cost provisions generally, such as;
 - (a) Clerk and U.S. Marshal's fees;
 - (b) Printing fees;
 - (c) Fees to exemplify documents and fees to print copies of papers necessary for use in the case, etc. etc.
5. Rule 54(d) provides that costs shall be taxed "as of course", the Courts have interpreted this mandate to create a presumption in favor of the award of costs in favor of the prevailing party, but reserving for the District Judge the discretion to deny costs only in appropriate circumstances. And the losing party or the Defendant's in this situation bear the burden of demonstrating that an award of costs would be improper.
6. If the Court chooses not to award costs to a party, the Court must explain its good reason for not doing so. Rule 54(a). And generally a District Court may not deny costs by finding that the case was brought and litigated in "good faith" and without a vexatious motive, or because the case was "complex" or a "close call".
7. The following is a verified Bill of Costs to be taxed against the Defendants to the Plaintiff;
 - (a) Filing Fee of \$150.00 so as all debts will be resolved.

(b) Documents necessary for use in the case, approximately 4,500 copies

at 15¢ per page = \$675.00

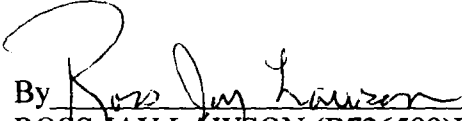
(c) Postage is approximately \$100.00.

Wherefore this Plaintiff, after suffering a loss of his Constitutional Rights, filed this action, years later after costs have been spent and case dismissed, has spent hundreds of hours for nothing and never got protection from this Court, begs this Honorable Court to Order His Costs taxed against the Defendants in hopes of recovering monies spent by his family, and to prove there is still some fairness left in our country.

By 
ROSS JAY LAWSON (B726599) E1101
Baker Correctional Institution
P. O. Box 500
Sanderson, FL 32087-0500

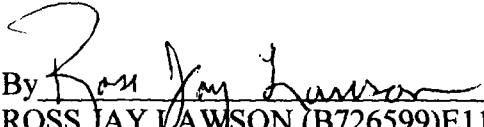
Unnotorized Oath/Verification

I hereby verify that the foregoing is true and correct to the best of my knowledge.

By 
ROSS JAY LAWSON (B726599)E1101
Baker Correctional Institution
P. O. Box 500
Sanderson, FL 32087-0500

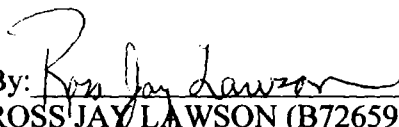
Certificate of Service

I hereby certify that a true and correct copy of the foregoing was mailed on this 22nd day of August, 2002 to ADORNO & YOSS, 888 SE 3RD Avenue, Suite 500, Fort Lauderdale, FL 33335-9002.

By 
ROSS JAY LAWSON (B726599)E1101
Baker Correctional Institution
P. O. Box 500
Sanderson, FL 32087-0500

AFFIDAVIT OF ROSS JAY LAWSON

My name is ROSS JAY LAWSON and I make this affidavit of my own knowledge. I am over 18 years old and otherwise sue juris. All facts contained in the "Plaintiff's Bill of Costs" are true and correct. Dated this 24 day of August, 2002.

By: 
ROSS JAY LAWSON (B726599) E1101
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